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PATENT
ATTORNEY DOCKET NO.: 040894-7413

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Toshiyuki KANAI et al.)	Confirmation No.: 6625
)	
Application No.: 10/569,793)	Group Art Unit: 3721
)	
Filed: February 27, 2006)	Examiner: Michelle Lopez
)	
For: STAPLE FORMING AND DRIVING)	
MACHINE (As Amended))	

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, **MAIL STOP RCE**
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

- ☐ Previously submitted:
- ☐ Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on October 15, 2007 (Any unentered amendment(s) referred to above will be entered).
- ☐ Please consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.

12/23/2008 JADD01 00000061 500310 10569793
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☒ Enclosed:

- ☐ Supplemental Reply
☒ Other: Amendment Under 37 C.F.R. § 1.114
☐ Information Disclosure Statement

2. Miscellaneous

☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

☐ Other: _____

3. Fees Calculation

(a) RCE Fee required under 37 C.F.R. § 1.17(e)

- ☒ \$810.00
☐ \$405.00 (for small entity)

(b) Additional Claims

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. § 1.16(c))	9	minus	20	0	x \$50 each =	+ \$ 0.00
Independent Claims (37 C.F.R. § 1.16(b))	2	minus	3	0	x \$210 each =	+ \$ 0.00
[] First presentation of Multiple dependent claim(s)					\$370.00	+ \$00.00
SUB-TOTAL =						\$ 0.00
Reduction by ½ for filing by a small entity						- \$ 0.00
TOTAL FEE =						\$ 0.00

c) Extension of Time

- ☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>Fee for Small Entity</u>
<input checked="" type="checkbox"/> one month	\$ 130.00	\$ 65.00
<input type="checkbox"/> two months	\$ 490.00	\$245.00
<input type="checkbox"/> three months	\$1,110.00	\$555.00
<input type="checkbox"/> four months	\$1,730.00	\$865.00

The extension of time fee for this request: \$130.00.

If an additional extension of time is required, please consider this a Petition therefor.

4. Fee Payment

- ☐ Enclosed is a check in the amount of \$_____.
- ☒ The Commissioner is hereby authorized to charge the Deposit Account No. 50-0310 in the amount of \$940.00 (RCE filing fee of \$810 and one (1) month extension of time fee of \$130).

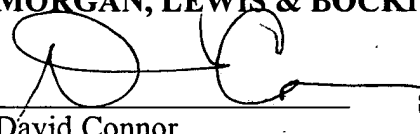
☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: December 22, 2008

By:


David Connor
Registration No. 59,868

CUSTOMER NO. 009629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
202.739.3000